

ATTACHMENT 7

**ACCELERATED STRATEGIC COMPUTING INITIATIVE
(ASCI)**

**SMALL BUSINESS AND SMALL DISADVANTAGED BUSINESS
SUBCONTRACTING PACKAGE**

C6939RFP6-3X

LOS ALAMOS NATIONAL LABORATORY

LOS ALAMOS, NEW MEXICO

**SMALL BUSINESS AND SMALL DISADVANTAGED
BUSINESS SUBCONTRACTING PLAN**

Date: _____

SUBCONTRACTOR: _____

ADDRESS: _____

SOLICITATION OR SUBCONTRACT NUMBER: _____

ITEM/SERVICE: _____

The following, together with any attachments, is hereby submitted as a Subcontracting Plan to satisfy the applicable requirements of Public Law 95-507.

1.

- (a) The total estimated dollar value of all planned subcontracting to all types of business concerns under this subcontract is \$ ____.
- (b) The following percentage goals, expressed in terms of a percentage of total planned subcontracting dollars, apply to the subcontract cited above or to the subcontract awarded under the solicitation cited.
 - (i) Small business concerns: ____% of total planned subcontracting dollars under this subcontract will go to the subcontractors who are small business concerns.
 - (ii) Small disadvantaged business concerns: ____% of total planned subcontracting dollars under this subcontract will go to subcontractors who are small business concerns owned and controlled by socially and economically disadvantaged individuals. This percentage is included in the percentage shown under subparagraph 1(b)(i), above, as a subset.
- (c) The following dollar values correspond to the percentage goals shown in paragraph (a) above.
 - (i) Total dollars planned to be subcontracted to small business concerns: \$ ____.
 - (ii) Total dollars planned to be subcontracted to small disadvantaged business concerns: \$ ____.
This dollar amount is included in the amount shown under subparagraph 1(c)(i), above, as a subset.
- (d) The following principle products and/or services will be subcontracted under this subcontract, and the distribution among small, small disadvantaged and large business concerns is as follows:

SMALL BUSINESS

SMALL DISADVANTAGED BUSINESS

LARGE BUSINESS

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**SMALL BUSINESS AND SMALL DISADVANTAGED
BUSINESS SUBCONTRACTING PLAN
(cont.)**

- (e) The following method was used to develop subcontract goals. (Include a statement explaining how the product and service areas to be subcontracted were established, how the areas to be subcontracted to small and small disadvantaged business concerns were determined, and how capabilities of small and small disadvantaged business concerns were determined to include identification of source lists used in making those determinations.)
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- (f) Indirect and overhead costs() have been,() have not been included in the goals specified in 1(b) and 1(c).

- (g) If indirect and overhead costs have been included in the goals, explain the method used in determining the proportionate share of indirect and overhead costs to be allocated as subcontracts to small business concerns and small disadvantaged business concerns.
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2. The following person will administer the subcontracting program:

Name: _____

Address: _____

Title: _____

This person's specific duties, as they relate to the firm's subcontracting program, are as follows:

General overall responsibility for this company's small business program, for the development, preparation and execution of individual subcontracting plans, and for monitoring performance for contractual subcontracting requirements contained in this plan includes but is not limited to

- (a) Ensuring that procurement packages are structured to permit small and small disadvantaged business concerns to participate to the maximum extent possible;
- (b) Ensuring inclusion of small and small disadvantaged business concerns in all solicitations for products or services that they are capable of providing;
- (c) When possible, reviewing solicitations to remove statements, clauses, etc., that may tend to restrict or prohibit small business and small disadvantaged business participation;
- (d) Ensuring that the review board for bids/proposals documents its reasons for not selecting low bids/proposals submitted by small and small disadvantaged business concerns;
- (e) Ensuring the establishment and maintenance of records of solicitations and subcontract award activity;
- (f) Monitoring attainment of proposed goals;
- (g) Preparing and submitting required quarterly subcontracting reports on SF 294; and
- (f) OTHER: _____

3. The following internal efforts will be taken to ensure that small and small disadvantaged business concerns will have an equitable opportunity to compete for subcontracts and to guide and encourage buyers:
- (i) Activities will be monitored to evaluate compliance with this Subcontracting Plan.
 - (ii) Small and small disadvantaged business concern source list, guides, and other data identifying small and small disadvantaged business concerns will be maintained and used by buyers in soliciting subcontracts; and
 - (iii) Other: _____
4. The offerer agrees that the clause entitled "Utilizations of Small Business Concerns and Small Business Concerns Owned and Controlled by Socially and Economically Disadvantaged Individuals" will be included in all subcontracts that offer further subcontracting opportunities, and all subcontractors except small business concerns who receive subcontracts exceeding \$500,000 (1,000,000 for construction subcontracts) shall adopt and comply with a subcontracting plan similar to this one. Such plans will be reviewed by comparing them with the provisions of Public Law 95-507 and ensuring that all minimum requirements of an acceptable subcontracting plan have been satisfied. The acceptability of percentage goals shall be determined on a case-by-case basis depending on the supplies/services involved, the availability of potential small and small disadvantaged subcontractors, and prior experience. Once approved and implemented, plans will be monitored through the submission of quarterly reports, and/or, as time and availability of funds permit, periodic visits to subcontractors' facilities to review applicable records and progress in the subcontracting program.
5. The offerer agrees to submit sub periodic reports and to cooperate in any studies or surveys that may be required by the University or the government to determine the extent of compliance by the subcontractor with the Subcontracting Plan and with the clause entitled "Utilization of Small Business concerns and Small Business Concerns Owned and Controlled by Socially and Economically Disadvantaged Individuals" contained in the subcontract.
6. The offerer agrees that it will maintain at least the following types of records to document compliance with this Subcontracting Plan:
- (a) Source lists of small and small disadvantaged business concerns, guides, and other data identifying small business/small disadvantaged business vendors;
 - (b) Organizations contacted for small and small disadvantaged business sources;
 - (c) On a subcontract-by-subcontract basis, records on all subcontract solicitations over \$100,000 indicating (1) whether small business concerns were solicited, and if not, why not; (2) whether small disadvantaged business concerns were solicited, and if not, why not; and (3) reasons for the failure of solicited small or small disadvantaged business concerns to receive the subcontract award;
 - (d) Records to support other outreach efforts: contacts with minority and small business trade associations; attendance at small and minority business procurement conferences and trade fairs; etc.;
 - (e) Records to support internal activities to guide and encourage buyers: workshops, seminars, training programs, etc. Monitoring activities to evaluate compliance; and
 - (f) On a subcontract-by-subcontract basis, records to support subcontract award data, including the name and address of subcontractor.

Offerer Signature: _____ Date: _____

SUBCONTRACTING CERTIFICATION

Offeror/Subcontract Name: _____

Subcontract No: _____ Modification No: _____ Value: _____
\$ _____

This certificate applies to all negotiated subcontracts and purchase orders exceeding \$500,000 and construction subcontracts exceeding \$1,000,000. As used herein the term "order" shall also mean "subcontract."

The Offeror certifies that the following conditions exist in determining whether the offeror is required to submit a plan for subcontracting with small business and small disadvantaged business concerns.

[] A. The offeror is exempt from the requirements of a subcontracting plan for the following reason(s) (check all that apply):

- ____ (i) The offeror is a small business as defined in accordance with Section 3 of the Small Business Act (15 U.S.C. 632).
- ____ (ii) Subcontracting possibilities are not offered in this subcontract. (Further explanation required including the specifics of the SOW.)

Explanation

- ____ (iii) The subcontract, and all lower-tier subcontracts under it, will be performed entirely outside of the United States, its territories and possessions, the District of Columbia, and the Commonwealth of Puerto Rico and is, therefore, not covered.
- ____ (iv) The subcontract is for personal services and is, therefore, not covered. (Further explanation required including the specific reasons this statement is true.)

Explanation

[] B. The offeror is required to submit and obtain approval of a Small Business and Small Disadvantaged Business Subcontracting Plan before subcontract award.

The following condition applies only to modifications that exceed the thresholds and are attached to an existing subcontract.

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(cont.)

[] C. Because of Modification No. _____, the offeror must submit and obtain approval on a Small Business and Small Disadvantaged Business Subcontract Plan that relates specifically to this modification before it can be executed.

- ____ (i) The goals established by the SB and SBD Subcontracting Plan for this order will be extended to include this modification; or
- ____ (ii) A separate subcontracting plan will be submitted for this modification.

Offeror acknowledges that it will include the Utilization of Small Business concerns and Small Disadvantaged Business concerns article in all subcontracts that offer subcontracting opportunities, and that the Offeror will require all subcontractors, except small business concerns, that receive subcontracts in excess of \$500,000 (\$1,000,000 for construction subcontracts) to adopt a plan similar to the plan required by the Small Business and Small Business Subcontracting Plan article of this order.

The Offeror understands that

- 1) No order will be awarded unless and until an acceptable subcontracting plan, if required, is negotiated with the University and the approved plan is incorporated as a material part of the order;
- 2) As determined by the University, an acceptable subcontracting plan must provide the maximum practicable opportunity for small business and small disadvantaged business concerns to participate in the performance of the order;
- 3) If an acceptable subcontracting plan is not negotiated with the University within the time limits prescribed, the Offeror shall be ineligible for an award. The University shall notify the Offeror in writing of the reasons for determining a subcontracting plan to be unacceptable and allow adequate time for the Offeror to modify its plan;
- 4) Commercial subcontracting plans on a companywide basis must have a current federal agency approval and are acceptable for commercial products only; and
- 5) Master subcontracting plans on a division- or plantwide basis must contain individual subcontracting goals for the particular subcontract.

Offeror's Signature

Date